

REMARKS/ARGUMENTS

Reconsideration of the above-identified application is requested in view of the remarks that follow.

In the March 1, 2004, Office Action in this application, the Examiner rejected Claims 2 and 3 because of inconsistency between the language of original Claim 2 and the language of original Claim 3 with respect to the term “first conductive electrode.”

As indicated above, Claim 2 has been amended to recite a “first conductive electrode” thereby eliminating the inconsistency between Claims 2 and 3.

The Examiner objected to the drawings under 37 CFR 1.83(a), stating that the claimed “first conductive contact” and “second conductive contact” are not showing in the drawings.

Attached hereto is a proposed amendment to Fig. 1 identifying a first conductive electrode 103 and a second conductive electrode 105, both of which appear in dashed lines in original Fig. 1. In addition, as indicated above, Applicant has amended the specification to more specifically recite the first conductive electrode 103 and the second conductive electrode 105.

The Examiner has rejected Claim 1 under 35 U.S.C. 102(b) as being anticipated by the Winters '964 patent. For the reasons set forth below, it is submitted that amended Claim 1 patentably distinguishes over the Winters teaching.

Specifically, as indicated in Fig. 1 of the application, the interdigitated capacitor structure recited in Claim 1 is formed “in” a semiconductor structure, as opposed to the stacked gate capacitor structure taught by Winters which is formed “on” a semiconductor substrate.

Furthermore, the alternating N-type and P-type regions disclosed by Winters are separated from one another by intervening dielectric material. In Applicant's Claim 1 invention, as shown in Fig. 1, as a result of the fabrication technique of alternating N+ implants and P+ implants, the N+ fingers 104b and the P+ fingers 106b are interdigitated, that is, they are in direct contact with one another. Claim 1 has been amended to clarify this feature of the Claim 1 invention.

For these reasons, it is believed that subject matter recited in Claim 1 patentably distinguishes over the Winters reference.

Although the Examiner has rejected Claims 2 and 3 under 35 U.S.C. 103(a) as being unpatenable over Winters in view of the Rao et al. '014 patent, since it is believed that amended Claim 1 distinguishes over the prior art, and since Claims 2 and 3 depend from Claim 1, it is submitted that Claims 2 and 3 also patentably distinguish over the prior art.

For the reasons set forth above, Applicant believes that all claims currently pending in this application patentably distinguish over the prior art. Therefore, it is requested that this amendment be entered and that the application be passed to allowance.

Respectfully submitted,

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